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Paper No. 16

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SEP 17 2003

In re Application of	:	
Nieminen et al.	:	DECISION ON PETITION
Application No. 10/010,808	:	
Filed: November 13, 2001	:	
Attorney Docket No. 602.356USW1	:	

This is a decision on the petition filed April 9, 2003, requesting that the holding of abandonment in the above-identified application be withdrawn.

The petition to withdraw the holding of abandonment is GRANTED.

A final rejection was mailed on September 16, 2002, setting forth a three-month period of response.

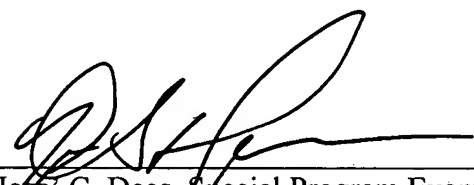
Petitioner asserts that the responses were timely filed as evidenced by copies of the papers filed and copies of the postcard receipts indicating receipt in the Patent and Trademark Office.

The review of the application file reveals that the Amendment filed March 17, 2003, along with payment of a three-month extension of time fee, an Information Disclosure Statement and a letter to the Official Draftsman were timely filed but not matched with the file. The papers have since been matched with the file and the application is not abandoned in fact. Further, the copy of the Revocation and New Power of Attorney indicated as an attachment was not enclosed.

The copy of the Revocation and New Power of Attorney submitted with the petition does not identify this application serial number as an application for which the paper should be entered.

For the above reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Inconvenience to petitioner is regretted.

Questions regarding this decision should be directed to Jose' G. Dees at (703) 308-4628.



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